

SENATE BILL 316

By Finney R.

AN ACT to amend Tennessee Code Annotated, Title 37,
Chapter 1 and Title 39, Chapter 15, Part 4, relative
to drug use during pregnancy.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-15-401(a), is amended by designating the current language as subdivision (1) and by inserting the following new language to be designated as subdivision (2):

(2) Any person who knows she is pregnant with a child of any gestational age, from fertilization through birth of the child, and who knowingly, other than by accidental means, ingests any illegal controlled substance as defined in title 39, chapter 17, part 4, commits a Class E felony.

SECTION 2. Tennessee Code Annotated, Section 37-1-102(b)(21), is amended by adding the following as a new appropriately designated subdivision:

(_) Knowingly ingesting any illegal substance or controlled substance not prescribed by a physician by any person who is pregnant with a child of any gestational age, from fertilization through the birth of the child;

SECTION 3. Tennessee Code Annotated, Section 37-1-403, is amended by adding the following as a new subsection thereto:

(i) Any health care provider, as defined in § 37-1-410, who treats a patient who is pregnant with a child of any gestational age and discovers during such treatment that the patient is using any illegal controlled substance as defined in title 39, chapter 17, part 4, shall report that information to the appropriate law enforcement official.

SECTION 4. This act shall take effect July 1, 2007, the public welfare requiring it.